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and wherein said anabolic agent, which may be the same or different in each formulation, is selected from the group consisting of zeranol, estradiol, testosterone, salbutamol, progesterone, trenbolone acetate, and combinations thereof.

REMARKS

Rejections Under 35 U.S.C. §112, Second Paragraph

Applicants have amended Claim 1 as the Examiner had suggested in the Office Action dated October 23, 2002, and to put the claims in better form for appeal. Accordingly, this issue has been removed from appeal.

If any fees are required for consideration of this amendment, the Commissioner is hereby authorized to charge such fees to Deposit Account No. 19-0365.

Respectfully submitted,

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February 14, 2002
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I hereby certify that this correspondence is being deposited with the U.S. Postal Service as First Class Mail in an envelope addressed to Assistant Commissioner for Patents, Washington, D.C. 20231 on

February 14, 2003

Robert L. Bernstein
Registered Representative

Robert L. Bernstein 2/14/03
Signature and Date of Signature

Marked Up Version of Amended Claims
(Added terms are underlined and deleted terms are in brackets)

Claim 1 (thrice amended): An anabolic implant dual formulation composition comprising: (i) an immediate-release first formulation [comprising] consisting essentially of an anabolic agent, and (ii) a controlled-release second formulation comprising an anabolic agent and a controlled-release agent, wherein said immediate-release formulation and said controlled-release formulation cooperate to effect [said] stimulation, and wherein said anabolic agent, which may be the same or different in each formulation, is selected from the group consisting of zeranol, estradiol, testosterone, salbutamol, progesterone, trenbolone acetate, and combinations thereof.